

**RADER,****FISHMAN****& GRAUER****PLLC**

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CENTRAL FAX CENTER****JUN 12 2009****To:** MS 16, Commissioner for Patents**From:** Charles A. Bieneman**Fax:** 571-273-8300**Pages:** 4 + Coversheet**Phone:****Date:** June 12, 2009**Re:** Request for Refund for Application Number 09/456,793 (Our Docket No. 66703-0002)☐ Urgent☒ For Review☒ Please Comment☐ Please Reply☐ Please Recycle

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Thank you.

◆ **Comments:**

<b>Request for Refund</b>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 279-8300, on the date shown below.	
Dated: June 12, 2009	Signature: <u>Heather Edwards</u> (Heather Edwards)

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JUN 12 2009  
JUN 15 PM 4:41  
Docket No. 66703-0002  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Christopher L. Knauft et al

Application No.: 09/456,793

Confirmation No.: 6923

Filed: December 8, 1999

Art Unit: 2176

For: SYSTEM AND METHOD OF DYNAMICALLY  
GENERATING INDEX INFORMATION

Examiner: M. Nguyen

MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

**REQUEST FOR REFUND  
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

**I. REFUND REQUEST**

This is a request for a refund, with respect to the charge to Deposit Account 18-0013, shown on the statement dated May 2009, for the above-identified

- ☒ application.  
☐ patent.

*(check the following, if desired, and supply copy of statement)*

- ☒ A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

**II. FEES CHARGED FOR WHICH REFUND REQUESTED**

**AMOUNT OF  
REFUND  
REQUESTED:**

- ☐ Filing fee  
☐ Surcharge for filing the basic filing fee on a date later  
than the filing date of the application (37 C.F.R. section 1.16(e))

(Request for Refund (Improper Charge of Deposit Account)--page 1 of 3)

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**JUN 12 2009**

Application No. 09/456,793

(Docket No. 66703-0002)

*and/or*

<input type="checkbox"/>	Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. section 1.16(e))	_____
<input type="checkbox"/>	Extension of term (2)	
<input type="checkbox"/>	<input type="checkbox"/> first month	_____
<input type="checkbox"/>	<input type="checkbox"/> second month	_____
<input type="checkbox"/>	<input type="checkbox"/> third month	_____
<input type="checkbox"/>	<input type="checkbox"/> fourth month	_____
<input type="checkbox"/>	<input type="checkbox"/> fifth month	_____
<input type="checkbox"/>	Excess claims	_____
<input type="checkbox"/>	Issue fee	_____
<input type="checkbox"/>	Petition fee	_____
<input type="checkbox"/>	Patent maintenance fee	_____
<input type="checkbox"/>	<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/>	<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/>	<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/>	Patent maintenance fee surcharge	_____
\$ <input checked="" type="checkbox"/>	Other <u>Notice of Appeal</u>	<u>\$500.00</u>

**TOTAL REFUND REQUESTED****\$500.00****III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

Deposit Account 18-0013 was charged \$540.00 on May 18, 2009, for one Notice of Appeal (code 1401). On February 9, 2009, the examiner reopened prosecution following a Notice of Appeal filed August 2, 2007, for which a fee of \$500.00 was paid. Pursuant to 37 CFR 41.31, a Notice of Appeal was filed by appellant on April 28, 2009. The previously paid Notice of Appeal fee should be applied to the new appeal. Where the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then the appellant must pay the difference between the increased fees and the amount previously paid. Appellant paid the fee of \$500.00 with the filing of the Notice of Appeal on August 2, 2007. Thus, appellant owed fees of \$40.00 with the April 28, 2009, Notice of Appeal. We believe that a \$500.00 charge was made in error by the United States Patent and Trademark Office, and hereby request a refund of this amount. A copy of the Deposit Account Statement showing the indicated charge is attached.

(Request for Refund (Improper Charge of Deposit Account)--page 2 of 3)

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JUN 12 2009

Application No. 09/456,793

(Docket No. 66703-0002)

IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Account No. 18-0013.  
☐ refunding payment.

Dated: June 12, 2009

Respectfully Submitted,

By: 

Charles A. Bieneman

Registration No.: 51,472

RADER, FISHMAN & GRAUER PLLC

Correspondence Customer Number: 10291

Attorneys for Applicant

(Request for Refund (Improper Charge of Deposit Account)--page 3 of 3)

## Deposit Account Statement



**United States  
Patent and  
Trademark Office**

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CENTRAL FAX CENTER**

JUN 12 2009

## Deposit Account Statement

Requested Statement Month:

May 2009

**Deposit Account Number:**

**180013**

**Name:**

**RADER FISHMAN & GRAUER**

**Attention:**

ACCOUNTING DEPT.

**Street Address 1:**

39533 WOODWARD AVENUE

**Street Address 2:**

SUITE 140

City:

**BLOOMFIELD HILLS**

**State:**

MI

**Zip:**

**48304**

**Country:**

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/16	87	29287001	SDE-2171	1602	\$860.00	\$66,827.7
05/15	85	29287001	SDE-2171	1453	\$1,620.00	\$65,207.7
05/16	24723	12485300	66348-0087	8021	\$40.00	\$65,167.7
05/16	122	28327490	40338-0016 (C1934-3PO)	2502	\$430.00	\$64,737.7
05/16	25053	2723548	66828-0024	7205	\$100.00	\$64,837.7
05/16	25064	2723548	66828-0024	7208	\$200.00	\$64,437.7
05/15	25989	77737788	67019-0002	7001	\$850.00	\$63,787.7
05/15	26376	77737823	40427-0001	7001	\$325.00	\$63,462.7
05/18	8191	1574105	66919-0053	7205	\$200.00	\$63,262.7
05/18	8192	1574105	66919-0053	7201	\$800.00	\$62,462.7
<del>05/18</del>	<del>4</del>	<del>09456793</del>	<del>66703-0002</del>	<del>1401</del>	<del>\$540.00</del>	<del>\$61,922.7</del>
05/18	13267	77247530	65123-2308	7004	\$150.00	\$61,772.7
05/19	2024	77739404	63285-0070	7007	\$275.00	\$61,497.7
05/19	4621	77739636	66598-0059	7001	\$325.00	\$61,172.7
05/19	4647	77739536	66598-0081	7001	\$325.00	\$60,847.7
05/19	4696	77739538	66598-0082	7001	\$325.00	\$60,522.7
05/19	4740	77739541	66596-0060	7001	\$650.00	\$59,872.7
05/19	4886	2261297	65081-0889	7205	\$100.00	\$59,772.7
05/19	4867	2261297	65081-0889	7201	\$400.00	\$59,372.7
05/19	6743	12467874	66970-0008	1111	\$540.00	\$58,832.7
05/19	6744	12467874	66970-0008	1311	\$220.00	\$58,612.7
05/19	6742	12467874	66970-0006	1011	\$330.00	\$58,282.7
05/19	6896	77119605	66275-0036	7003	\$400.00	\$57,882.7
05/19	7816	3212073	50054-0999	7401	\$300.00	\$57,582.7
05/19	7815	3195495	50054-0999	7401	\$300.00	\$57,282.7
05/19	8822	11150872	40398-0016	1261	\$130.00	\$57,152.7
05/19	9142	77369601	66543-0050	7001	\$325.00	\$66,827.7
05/19	9156	77369601	66543-0050	7403	\$100.00	\$58,727.7
05/19	2	10379901	50054-0999	1081	\$270.00	\$58,997.7

Document code: WFEE

United States Patent and Trademark Office  
Sales Receipt for Accounting Date: 05/18/2009

PSTANBAC SALE #00000004 Mailroom Dt: 04/28/2009 180013 09456793  
01 FC : 1401 540.00 DA

Adjustment date: 06/19/2009 SDIRETA1  
08/03/2007 INTEFSW 00000776 180013 09456793  
02 FC:1401 500.00 CR